

Court of Appeals, State of Michigan

ORDER

Michael S Sherman DO PC v Shirley T Sherrod MD PC

Docket No. 299045; 299775

LC No. 08-014212-CK

Kirsten Frank Kelly
Presiding Judge

Michael J. Talbot

Cynthia Diane Stephens
Judges

The Court orders that the motion to reopen the appeals is GRANTED; the appeals are REOPENED with respect to appellant Shirley T. Sherrod, M.D.

The Court further orders that the motion for immediate consideration of the motion to review the circuit court orders is GRANTED and orders as follows:

The motion to review circuit court orders is DENIED with respect to the order denying appellant's motion to quash the bench warrant for the arrest of appellant Shirley T. Sherrod, M.D. and DENIED with respect to the order prohibiting the transfer of appellants' assets, EXCEPT that the Court orders that appellants' assets may be used to post the stay bond as modified by this order.

Pursuant to MCR 7.209(D), the bond requirement is modified such that enforcement of the judgment and orders appealed from shall be stayed upon the posting of a cash or surety bond in the amount of \$250,000. Continuation of the appeals is conditioned upon appellants either posting bond in this amount or presenting appellant Shirley T. Sherrod, M.D. for a creditor's examination under oath and producing relevant discovery documents requested by appellees; that is, the appeals may proceed without the posting of the bond, if Dr. Sherrod appears for a creditor's examination and produces the requested documents.

The motions to dismiss the appeals are HELD IN ABEYANCE for an additional 35 days after the Clerks certification of this order, during which period appellants shall file proof with the Clerk of this Court to show that the bond has been posted or Shirley T. Sherrod, M.D. has been ~~deposed~~ and the requested documents have been produced.

Judge Kelly would not modify the bond.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

October 28, 2011

Date


Chief Clerk